



State of Louisiana
Department of Health and Hospitals
Office of Public Health

MEMORANDUM

Date: October 30, 2008
To: SBHC Directors
From: Maureen Daly, MD *MD*
Medical Director, OPH/ASHP

RE: Correction to Previous Memo re: Billing Medicaid for RN Visit Using CPT Code 99211

As per my memo to SBHC Directors dated 9/29/08, a 99211 visit provided by a registered nurse (RN), reported under the physician's name/tax ID number, "requires the supervising physician's direct supervision, which is defined by the CMS as the physician being physically present in the office (not in the patient's room) and immediately available to provide assistance. Most nurse E/M (evaluation and management) services are carried out under a protocol of orders developed by the physician for the particular service and should be fully documented in the record. As always, the physician supervising the care should sign the chart entry."¹ Medicaid holds the provider, in this case the physician, accountable for all services billed using his/her number. This remains true.

In the previous memo, I stated that to our knowledge nurse practitioners (NPs) working in SBHCs do not write standing orders for RNs and therefore 99211 visits provided by a RN cannot be billed under the NP's name/tax ID number because the RN is not carrying out a protocol developed by the NP. However, I have since learned that it is permissible for RNs to execute standing orders of an NP who is an authorized prescriber. According to the Louisiana Nurse Practice Act (LAC 46:XLVII.3703), "registered nurses may execute standing orders of an authorized prescriber provided the said prescriber initiates the standing orders and provided, further, that the said orders do not require the nurse to make a medical diagnosis or to engage in prescriptive activity..."

Therefore, LA Medicaid can also be billed for 99211 visits provided by a RN reported under the NP's name/tax ID number if the following criteria are met:

- The student is an established patient at the SBHC.
- The NP is physically present at the SBHC and is immediately available to provide assistance.
- The nurse E/M services are carried out under a protocol of orders signed by the NP for the particular service and are fully documented in the record.
- The supervising NP signs the RN's chart entry.

In this situation, Medicaid would hold the NP accountable for all services billed using his/her number. It is still not permissible to bill Medicaid for a 99211 visit provided by a RN if neither the NP nor the physician is onsite at the time the visit occurs. SBHCs may decide to have both the medical director (physician) AND NP sign the standing orders used by the RN.

Thanks and I apologize for any confusion this has created.

cc Brian Bagdan
Cindy Caroon
Janis Souvestre
Virginia Moore

¹ www.cispimmunize.org/pro/pro_main.html Click on Vaccine Financing, Click on Coding Corner, Click on When Is It Appropriate to Report 99211 During Immunization Administration?